

ASSEMBLY BILL

No. 1173

Introduced by Assembly Member Tran

February 22, 2005

An act to amend Sections 2704.04 and 2704.09 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1173, as introduced, Tran. Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.

Existing law provides for submission of the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the voters for approval at the November 7, 2006, general election. Subject to voter approval, the act would provide for the issuance of \$9.95 billion of general obligation bonds, \$9 billion of which would be available in conjunction with any available federal funds for planning and construction of a high-speed train system pursuant to the business plan of the High-Speed Rail Authority, and \$950 million of which would be available for capital projects on other passenger rail lines to provide connectivity to the high-speed train system and for capacity enhancements and safety improvements to those lines. Existing law specifies that the initial segment of the high-speed train system to be constructed is San Francisco to Los Angeles, and also specifies certain maximum express service travel times to be achieved for this and future corridors.

This bill would instead provide that Anaheim is to be the southern terminus of the initial segment of the high-speed train system. The bill would make other related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2704.04 of the Streets and Highways
2 Code, as added by Section 2 of Chapter 697 of the Statutes of
3 2002, is amended to read:

4 2704.04. (a) It is the intent of the Legislature by enacting this
5 chapter and of the people of California by approving the bond
6 measure pursuant to this chapter to initiate the construction of a
7 high-speed train network consistent with the authority's Final
8 Business Plan of June 2000.

9 (b) (1) Nine billion dollars (\$9,000,000,000) of the proceeds
10 of bonds authorized pursuant to this chapter, as well as federal
11 funds and other revenues made available to the authority, to the
12 extent consistent with federal and other fund source conditions,
13 shall be used for planning and eligible capital costs, as defined in
14 subdivision (c), for the segment of the high-speed train system
15 between San Francisco Transbay Terminal and ~~Los Angeles~~
16 ~~Union Station~~ *the Anaheim Regional Transportation Intermodal*
17 *Center*. Once construction of the ~~San Francisco-Los Angeles San~~
18 ~~Francisco-Anaheim~~ segment is fully funded, all remaining funds
19 described in this subdivision shall be used for planning and
20 eligible capital costs, as defined in subdivision (c), for the
21 following additional high-speed train segments without
22 preference to order:

23 (A) Oakland-San Jose.

24 (B) Sacramento-Merced.

25 (C) Los Angeles-Inland Empire.

26 (D) Inland Empire-San Diego.

27 (E) ~~Los Angeles-Irvine~~ *Anaheim-Irvine*.

28 (2) Revenues generated by operations above and beyond
29 operating and maintenance costs shall be used to fund
30 construction of the high-speed train system.

31 (c) Capital costs eligible to be paid from proceeds of bonds
32 authorized for high-speed train purposes pursuant to this chapter
33 include all activities necessary for acquisition of right-of-way,
34 construction of tracks, structures, power systems, and stations,

1 purchase of rolling stock and related equipment, and other related
2 capital facilities and equipment.

3 (d) Proceeds of bonds authorized pursuant to this chapter shall
4 not be used for any operating or maintenance costs of trains or
5 facilities.

6 (e) The State Auditor shall perform periodic audits of the
7 authority's use of proceeds of bonds authorized pursuant to this
8 chapter for consistency with the requirements of this chapter.

9 SEC. 2. Section 2704.09 of the Streets and Highways Code,
10 as added by Section 2 of Chapter 697 of the Statutes of 2002, is
11 amended to read:

12 2704.09. The high-speed train system to be constructed
13 pursuant to this chapter shall have the following characteristics:

14 (a) Electric trains that are capable of sustained maximum
15 revenue operating speeds of no less than 200 miles per hour.

16 (b) Maximum express service travel times for each corridor
17 that shall not exceed the following:

18 (1) ~~San Francisco-Los Angeles Union Station-San~~
19 ~~Francisco-Anaheim~~: two hours, 42 minutes.

20 (2) Oakland-Los Angeles Union Station: two hours, 42
21 minutes.

22 (3) San Francisco-San Jose: 31 minutes.

23 (4) San Jose-Los Angeles: two hours, 14 minutes.

24 (5) San Diego-Los Angeles: one hour.

25 (6) Inland Empire-Los Angeles: 29 minutes.

26 (7) Sacramento-Los Angeles: two hours, 22 minutes.

27 (8) Sacramento-San Jose: one hour, 12 minutes.

28 *The travel time in this subdivision may be appropriately*
29 *adjusted by the authority to reflect the amendments to this*
30 *section extending the southern terminal of the initial corridor*
31 *from Los Angeles to Anaheim.*

32 (c) Achievable operating headway (time between successive
33 trains) shall be five minutes or less.

34 (d) The total number of stations to be served by high-speed
35 trains for all of the segments described in subdivision (b) of
36 Section 2704.04 shall not exceed 24.

37 (e) Trains shall have the capability to transition intermediate
38 stations, or to bypass those stations, at mainline operating speed.

39 (f) For each corridor described in subdivision (b), passengers
40 shall have the capability of traveling from any station on that

1 corridor to any other station on that corridor without being
2 required to change trains.

3 (g) In order to reduce impacts on communities and the
4 environment, the alignment for the high-speed train system shall
5 follow existing transportation or utility corridors to the extent
6 possible.

7 (h) Stations shall be located in areas with good access to local
8 mass transit or other modes of transportation.

9 (i) The high-speed train system shall be planned and
10 constructed in a manner that minimizes urban sprawl and impacts
11 on the natural environment.

12 (j) Preserving wildlife corridors and mitigating impacts to
13 wildlife movement where feasible in order to limit the extent to
14 which the system may present an additional barrier to wildlife's
15 natural movement.

16 SEC. 3. Section 1 of Chapter 697 of the Statutes of 2002, as
17 amended by Section 1 of Chapter 71 of the Statutes of 2004, is
18 amended to read:

19
20 Section 1. (a) In light of the events of September 11, 2001, it is
21 very clear that a high-speed passenger train network as described
22 in the High-Speed Rail Authority's Business Plan is essential for
23 the transportation needs of the growing population and economic
24 activity of this state.

25 (b) The initial high-speed train network linking San Francisco
26 and the ~~bay area~~ *Bay Area* to ~~Los Angeles~~ *Anaheim* will serve as
27 the backbone of what will become an extensive 700-mile system
28 that will link all of the state's major population centers, including
29 Sacramento, the ~~bay area~~ *Bay Area*, the Central Valley, Los
30 Angeles, the Inland Empire, Orange County, and San Diego, and
31 address the needs of the state.

32 (c) The high-speed passenger train bond funds are intended to
33 encourage the federal government and the private sector to make
34 a significant contribution toward the construction of the
35 high-speed train network.

36 (d) The initial segments shall be built in a manner that yields
37 maximum benefit consistent with available revenues.

38 (e) After the initial investment from the state, operating
39 revenues from the initial segments and funds from the federal
40 government and the private sector will be used to pay for

1 expansion of the system. It is the intent of the Legislature that the
2 entire high-speed train system shall be constructed as quickly as
3 possible in order to maximize ridership and the mobility of
4 Californians.

5 (f) At a minimum, the entire 700-mile system described in the
6 High-Speed Rail Authority's Business Plan should be
7 constructed and in revenue service by 2020.

8 [PU PU 02 CHP 697 PU RN0401912]

9 SEC. 4. Section 3 of Chapter 697 of the Statutes of 2002, as
10 amended by Section 4 of Chapter 71 of the Statutes of 2004, is
11 amended to read:

12 Sec. 3. Section 2 of Chapter 697 of the Statutes of 2002, as
13 amended by Sections 2 and 3 of *Chapter 71 of the Statutes of*
14 *2004, and as further amended by Sections 1 and 2 of the act*
15 *amending this section in the 2003-04 2005-06 Regular Session,*
16 *shall take effect upon the adoption by the voters of the Safe,*
17 *Reliable High-Speed Passenger Train Bond Act for the 21st*
18 *Century, as set forth in Section 2 of Chapter 697 of the Statutes*
19 *of 2002, as amended by Sections 2 and 3 of Chapter 71 of the*
20 *Statutes of 2004, and as further amended by Sections 1 and 2 of*
21 *the act amending this section in the 2003-04 2005-06 Regular*
22 *Session.*

23 [PU PU 02 CHP 697 PU RN0401912]

24 SEC. 5. Section 4 of Chapter 697 of the Statutes of 2002, as
25 amended by Section 5 of Chapter 71 of the Statutes of 2004, is
26 amended to read:

27 Sec. 4. (a) Section 2 of Chapter 697 of the Statutes of 2003, as
28 amended by Sections 2 and 3 of *Chapter 71 of the Statutes of*
29 *2004, and as further amended by Sections 1 and 2 of the act*
30 *amending this section in the 2003-04 2005-06 Regular Session,*
31 *shall be submitted to the voters at the November 7, 2006, general*
32 *election in accordance with provisions of the Government Code*
33 *and the Elections Code governing the submission of statewide*
34 *measures to the voters.*

35 (b) Notwithstanding any other provision of law, all ballots of
36 the November 7, 2006, general election shall have printed
37 thereon and in a square thereof, exclusively, the words "Safe,
38 Reliable High-Speed Passenger Train Bond Act for the 21st
39 Century" and in the same square under those words, the
40 following in 8-point type: "This act provides for the Safe,

1 Reliable High-Speed Passenger Train Bond Act for the 21st
2 Century. For the purpose of reducing traffic on the state's
3 highways and roadways, upgrading commuter transportation,
4 improving people's ability to get safely from city to city,
5 alleviating congestion at airports, reducing air pollution, and
6 providing for California's growing population, shall the state
7 build a high-speed train system and improve existing passenger
8 rail lines serving the state's major population centers by creating
9 a rail trust fund that will issue bonds totaling \$9.95 billion, paid
10 from existing state funds at an average cost of _____ dollars
11 (\$_____) per year over the 30-year life of the bonds, with all
12 expenditures subject to an independent audit?" The blank space
13 in the question to appear on the ballot pursuant to this
14 subdivision shall be filled in by the Attorney General with the
15 appropriate figure provided by the Legislative Analyst relative to
16 the annual average cost of the bonds. Opposite the square, there
17 shall be left spaces in which the voters may place a cross in the
18 manner required by law to indicate whether they vote for or
19 against the measure.

20 (c) Notwithstanding Sections 13247 and 13281 of the Elections
21 Code, the language in subdivision (b) shall be the only language
22 included in the ballot label for the condensed statement of the
23 ballot title, and the Attorney General shall not supplement,
24 subtract from, or revise that language, except that the Attorney
25 General may include the financial impact summary prepared
26 pursuant to Section 9087 of the Elections Code and Section
27 88003 of the Government Code. The ballot label is the condensed
28 statement of the ballot title and the financial impact summary.

29 (d) Where the voting in the election is done by means of voting
30 machines used pursuant to law in the manner that carries out the
31 intent of this section, the use of the voting machines and the
32 expression of the voters' choice by means thereof are in
33 compliance with this section.

34 [PU PU 02 CHP 697 PU RN0401912]